

**IN THE UNITED STATES DISTRICT COURT
FOR THE NORTHERN DISTRICT OF OKLAHOMA**

UNITED STATES OF AMERICA,

Plaintiff,

v.

Case No. 24-CR-255-JFH

LADARION DEONTRAE LADRUE TIBBS,

Defendant.

OPINION AND ORDER

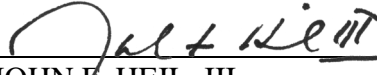
Before the Court is a motion to dismiss indictment [Dkt. No. 2] without prejudice (“Motion”) filed by the United States of America (“Government”). Dkt. No. 20.

Under Federal Rule of Criminal Procedure 48(a), “courts must grant prosecutors leave to dismiss charges unless dismissal is clearly contrary to manifest public interest.” *United States v. Robertson*, 45 F.3d 1423, 1437 n.14 (10th Cir. 1995) (quoting *Rinaldi v. United States*, 434 U.S. 22, 30 (1977)). As it reads, the Motion is devoid of any facts under which the Court could determine whether the dismissal is contrary to public interest or for improper purpose. In the future, the Government is directed to provide the factual basis for dismissal in the motion to dismiss indictment.

However, because the related case 23-CR-261-JFH is currently pending before this Court, the Court understands that the Government is seeking dismissal of the indictment in this case because the Government has filed a felony information in 23-CR-261-JFH which encompasses the pending charge against Defendant in this matter. The Court finds that for this reason, dismissal of the charge against Defendant in this matter is not contrary to the public interest, nor is it for an improper purpose. Accordingly, the Government’s motion to dismiss should be granted.

IT IS THEREFORE ORDERED that the Government's motion to dismiss [Dkt. No. 20] is GRANTED and the indictment [Dkt. No. 2] is dismissed without prejudice against Defendant Ladarion Deontrae Ladrue Tibbs.

Dated this 2nd day of October 2024.



JOHN F. HEIL, III
UNITED STATES DISTRICT JUDGE